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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

NETWORK APPLIANCE, INC.

Plaintiff-Counterclaim Defendant,

v.

SUN MICROSYSTEMS, INC.

Defendant-Counterclaim Plaintiff.

CASE NO. C-07-06053-EDL

**SUPPLEMENTAL JOINT CLAIM
CONSTRUCTION AND PREHEARING
STATEMENT**

Claim Construction Hearing:
Date: August 27, 2008
Time: 9:00 a.m.

Pursuant to Northern District of California Patent Local Rule 4-3, NetApp, Inc. (formerly Network Appliance, Inc.) and Sun Microsystems, Inc. ("Sun") jointly submit this Supplemental Joint Claim Construction and Prehearing Statement.

Accompanying this Supplemental Statement are the following revised Exhibits

Revised Exhibit A – Proposed Constructions and Supporting Evidence for the '292 Patent

Revised Exhibit D – Proposed Constructions and Supporting Evidence for the '715 Patent

Revised Exhibit F – Proposed Constructions and Supporting Evidence for the '486 Patent

Revised Exhibit J – Proposed Constructions and Supporting Evidence for the '857 Patent
 Revised Exhibit L – Proposed Constructions and Supporting Evidence for the '261 Patent
 Revised Exhibit P – Proposed Constructions and Supporting Evidence for the '984 Patent
 Revised Exhibit Q – Proposed Constructions and Supporting Evidence for the '630 Patent
 Revised Exhibit R – Proposed Constructions and Supporting Evidence for the '095 Patent
 Revised Exhibit S – Proposed Constructions and Supporting Evidence for the '303 Patent

Collectively, these revised exhibits contain one additional term for construction (as noted in footnote 1 of the Joint Claim Construction Statement), set forth 13 constructions upon which the parties have reached agreement, and otherwise reflect the parties' discussions during their May 29, 2008 meet and confer conference. For the Court's convenience, the parties have attributed the same exhibit letter to each patent as was used in the Joint Statement filed May 23.

Dated: May 30, 2008

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By /s/ Christine K. Corbett

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